



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2018

CORAM:

**THE HONOURABLE MR.JUSTICE M.DURAI SWAMY
AND
THE HONOURABLE DR.JUSTICE ANITA SUMANTH**

W.P(MD)No.9326 of 2018
and
W.M.P(MD)No.8622 of 2018

E.Deivendran

... Petitioner

Vs.

The Branch Manager/The Authorized Officer,
Tamil Nadu Mercantile Bank Limited,
Palayamkottai Branch,
Tirunelveli,
Tirunelveli District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the impugned possession notice, dated 03.04.2018 on the file of the respondent-Bank and quash the same as illegal, as far as the petitioner's house property is concerned.

For Petitioner : Mr.J.Jeyakumaran

For Respondent : Mr.N.Dilip Kumar

ORDER

(Order of the Court was made by M.DURAI SWAMY, J.)

The petitioner has filed the above Writ Petition to issue a Writ of Certiorari, to call for the records pertaining to the impugned possession notice, dated 03.04.2018 on the file of the respondent-Bank and to quash the same, as far as the petitioner's house property is concerned.

2.When the matter is taken up for hearing, the learned counsel appearing for the petitioner submitted that though the petitioner has challenged the possession notice, dated 03.04.2018, it would be suffice to direct the respondent-Bank to furnish the details of the payments made by the borrower enabling the parties to settle the outstanding amount. Further, the learned counsel submitted that in



this regard the petitioner has also given a representation, dated 26.03.2018 to the respondent-Bank. However, he has not received any reply so far.

3.Mr.M.Dilip Kumar, learned counsel taking notice for the respondent submitted that the respondent-Bank undertakes to give reply to the representation, dated 26.03.2018, within a period of one week from the date of receipt of a copy of this order, furnishing the details of the loan account and also mentioning the outstanding amount payable by the petitioner and the borrower.

4.In view of the submissions made by the learned counsel on either side, since the petitioner had restricted his prayer to direct the respondent-Bank to furnish the details with regard to the loan account, further in view of the undertaking given by the learned counsel for the respondent stating that the respondent-Bank would give their reply with regard to the loan account within a period of one week from the date of receipt of a copy of this order, we do not find any reason to keep the Writ Petition pending. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Branch Manager/The Authorized Officer,
Tamil Nadu Mercantile Bank Limited,
Palayamkottai Branch,
Tirunelveli,
Tirunelveli District.

+1CC to Mr.N.DilipKumar Advocate in SR.No.63775,
+1CC to Mr.J.JeyaKumaran Advocate in SR.No.63685.

PS

DS/SV/MMS/SAR-3 :16.05.2018: 2P/4C

W.P (MD) No.9326 of 2018
25.04.2018